

1 MARK F. FERRARIO, ESQ.
Nevada Bar No. 1625
2 JASON K. HICKS, ESQ.
Nevada Bar No. 13149
3 GREENBERG TRAURIG, LLP
10845 Griffith Peak Drive, Suite 600
4 Las Vegas, NV 89135
Telephone: (702) 792-3773
5 Facsimile: (702) 792-9002
Email: ferrariom@gtlaw.com
6 hicksja@gtlaw.com

7 ROBERT H. BERNSTEIN, ESQ.
Admitted *Pro Hac Vice*
8 MICHAEL J. SLOCUM, ESQ.
Admitted *Pro Hac Vice*
9 GREENBERG TRAURIG, LLP
500 Campus Drive, Suite 400
10 Florham Park, NJ 07932
Telephone: (973) 360-7900
11 Facsimile: (973) 301-8410
Email: bernsteinrob@gtlaw.com
12 slocumm@gtlaw.com

13 *Attorneys for Defendants*

14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 NOEL C. MURRAY, DR. SWARNA PERERA,
17 and JOYCE E. FRIEDMAN, on behalf of
themselves and all others similarly situated,

18 Plaintiffs,

19 v.

20 PROVIDENT TRUST GROUP, LLC,

21 Defendant.

Case No.: 2:18-cv-01382-MMD-GWF

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO EXTEND THE TIME FOR
DEFENDANT TO RESPOND TO
FIRST AMENDED COMPLAINT**

(First Request)

22
23 Plaintiffs Noel C. Murray, Dr. Swarna Perera, and Joyce E. Friedman (“Plaintiffs”), by and
24 through their counsel of record, the Law Office of Hayes & Welsh, the Law Office of Christopher J.
25 Gray, P.C., and the Law Offices of Joshua B. Kons, LLC, and Defendant Provident Trust Group,
26 LLC, by and through its counsel of record, Greenberg Traurig, LLP, hereby stipulate and request
27 that the Court extend the time by which Defendant must respond to the First Amended Class Action
28

Complaint by two (2) weeks up to, and including, **January 16, 2020**. This Stipulation is made and based upon the following:

1. Plaintiffs filed their First Amended Class Action Complaint on May 8, 2019, in which they allege Defendant breached contractual duties as custodian of Plaintiffs' Individual Retirement Accounts. [ECF No. 46]. Plaintiffs seek certification to represent a class of similarly situated individuals across the country. *Id.*

2. On December 18, 2019, the Court granted in part and denied in part Provident's motion to dismiss the First Amended Complaint. [ECF No. 57].

3. Counsel for Defendant has requested additional time to evaluate Plaintiffs' allegations and prepare a response, taking into account the exercise of due diligence. Counsel for Plaintiffs has agreed to this request.

4. In light of the foregoing, the parties agree that Defendant shall have up to, and including, **January 16, 2020**, to respond to the First Amended Class Action Complaint.

5. This is the first request for an extension of time in this regard. This Stipulation is entered into in good faith and not for purposes of delay.

DATED this 20th day of December, 2019.

DATED this 20th day of December, 2019.

/s/ Jason Hicks
Mark F. Ferrario, Esq.
Jason K. Hicks, Esq.
GREENBERG TRAURIG, LLP

Robert H. Bernstein, Esq.
Michael J. Slocum, Esq.
GREENBERG TRAURIG, LLP
Attorneys for Defendants

/s/ Christopher Gray
Martin L. Welsh, Esq.
LAW OFFICE OF HAYES & WELSH

Christopher J. Gray, Esq.
LAW OFFICE OF CHRISTOPHER J. GRAY

Joshua B. Kons, Esq.
LAW OFFICES OF JOSHUA B. KONS
Attorneys for Plaintiffs

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: December 23, 2019